

For Office Use Only Executive Office of Environmental Affairs MEPA Analyst: <i>Nick ZAVOLAS</i> Phone: 617-626- <i>1030</i>
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NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: ABC&D Recycling Inc.		EOEA #: 12699
Street: 198 East St.		
Municipality: Ware	Watershed: Ware River	
Universal Transverse Mercator Coordinates: 729,253 E, 4,683,175 N (meters)	Latitude: 42° 16' 02" N	Longitude: 72° 13' 13" W
Status of project construction:	95% complete	
Proponent: ABC&D Recycling Inc.		
Street: 198 East St.		
Municipality: Ware	State: MA	Zip Code: 01082
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Garrett Keegan		
Firm/Agency: Green Seal Environmental	Street: 28 Rt. 6A	
Municipality: Sandwich	State: MA	Zip Code: 02563
Phone: (508) 888-6034	Fax: (508) 888-1643	E-mail: gkeegan@gseenv.co

In 25 words or less, what is the project change? The project change involves modifying the facility to process and handle municipal solid waste (MSW) along with the existing permitted construction & demolition material, with the combined waste limited to the existing total of 750 tons/day.

See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor:

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date: July 24, 2002) No
 was a Single EIR filed? Yes (Date:) No

Have other NPCs been filed? Yes (Date(s):) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: Site Suitability for a Major Modification of an Existing Site Assignment, Town of Ware Board of Health Site Assignment Modification and Planning Board Special Permit Modification, MassDEP Authorization to Construct Modification and Authorization to Operate Modification

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))
 Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?
 Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	26.78 ac	0	26.78 ac.
Acres of land altered	6.56	0	6.56 ac.
Acres of impervious area	3.71	0	3.71 ac.
Sq/Ft bordering vegetated wetlands alteration	0 sq. ft.	0	0
Square feet of other wetland alteration	0 sq. ft.	0	0
Acres of non-water dependent use of tidelands or waterways	0 ac.	0	0
STRUCTURES			
Gross square footage	22,484 sq. ft.	0	22,484 sq. ft.
Number of housing units	0	0	0
Maximum height (in feet)	36.5 ft	0	36.5 ft.
TRANSPORTATION			
Vehicle trips per day	100	0	100
Parking spaces	20	0	20
WATER/WASTEWATER			
Gallons/day (GPD) of water use	200 gpd	0	200 gpd
GPD water withdrawal	0	0	0
GPD wastewater generation/ treatment	200 gpd	0	200 gpd
Length of water/sewer mains (in miles)	0	0	0

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No
2. release of any conservation restriction, preservation restriction, agricultural

preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No

5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

PLEASE REFER TO THE ATTACHED NARRATIVE FOR FURTHER DETAILS AND SUPPORTING ATTACHMENTS

- a) The applicant, ABC&D Recycling, Inc. (ABC&D) has operated their construction and demolition debris (C&D) recycling and handling facility at the site since 2006. ABC&D received a "certificate" on their Final Environmental Impact Report on August 30, 2002 from the Secretary of Environmental Affairs. The "certificate" described the project as a construction and demolition debris processing facility to be sited on 21-acres parcel of land [former auto salvage yard] located in Ware, Massachusetts. The facility was to be constructed and designed to handle of to 750 tons per day of C&D materials. The materials would be processed to extract the recyclable content from the waste stream and the unwanted/unrecyclable content would be transported by rail or truck for subsequent landfill disposal. During this process it was determined that the applicant (ABC&D) responded adequately to questions and comments and had made several modifications to address and subsequently reduce impacts to wetlands, traffic and air quality. After this MEPA process, ABC&D subsequently received all of their necessary permits and constructed that facility as they had presented through the permitting processes.
- b) There are only minor material changes to the infrastructure than was previously proposed within the formerly filed Draft and Final EIR. All of the environmental controls, processing equipment and infrastructure are functioning effectively and as intended. The only change is for ABC&D to accept municipal solid waste (MSW) as well as C&D. Their capacity will remain at 750 tons per day with no net increase. The bulleted items below outline the only changes that will be needed to allow this facility to accept MSW:
 - I. **Quick Closing Doors:** All three doors that are anticipated to be opened during operational hours will be fitted with quick closing reinforced fabric doors which control nuisance dust and odors.
 - II. **Misting Equipment** Dust and odor suppression inside the building sprays a fine atomized mist of water on the C&D and/or MSW materials. This mist controls the dust very efficiently (approximately a 95% efficiency) and will be augmented by adding odor neutralizing agents for odor suppression.

- III. **Rail Cars:** MSW will be tipped within the confines of the building and processed (baled, shrink-wrapped, or loaded in bulk to rail cars or containers). Furthermore, the rail cars and/or containers will be airtight and leakproof in accordance with standard railroad operating procedures and steel covers will be placed on the containers and/or rail cars within the confines of the building to control odors.
- c) Based on a review of 301 CMR 11.10(6), there are no significant environmental consequences associated with the Notice of Project Change. Also, based on a review of other applicable MEPA regulations, no thresholds regarding this project change has been triggered. A brief overview is presented below:
- I. **Expansion:** This project does not propose any dimensional expansion of the existing facility. As such, no detrimental environmental consequences are identified with respect to expansion.
 - II. **Generation of further Impacts:** The proposal is to modify the facility to process and handle municipal solid waste along with C&D material, with the combined waste limited to the existing total of 750 tons/day. No new capacity (as defined in 310 CMR 11.02) for storage, treatment or processing of solid waste is proposed.
 - III. **Timeline changes:** This facility is already constructed and in full operation. Therefore, timeline considerations are not applicable.
 - IV. **Change in project site:** There will be no change with respect to the project site and/or location. The footprint of the existing processing building, as it was proposed, and all modifications as they relate to waste handling activities will commence as originally proposed.
 - V. **New application for a permit:** Based on communications with EOEA, a Notice of Project Change was recommended for the proposed change to include MSW with no increase in tonnage.
 - VI. **Net benefit:** It is GSE's opinion that the facility should be considered an environmental benefit to Massachusetts. This facility, with its state-of-the-art design and environmental controls to protect the surrounding environment, is beneficial to this region.
 - VII. **Lapse of time:** This project is not being considered due to a lapse in time or changes in the ambient environment.

(d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

d) This facility already has and will continue to take considerable measures to avoid damage to the environment. The ultimate design and subsequent construction of this facility has, to the best of their ability, minimized and mitigated environment impacts through sound engineering controls and stringent protocols. It is GSE's and ABC&D's opinion that the modification sought [the allowance of MSW at a properly controlled and designed facility with no increase in the amount of allowable tonnage – 750 ton per day in aggregate] will not change any agency's or permitting authorities opinion with respect to previous Section 61 Findings. We have attached previous permit approvals to this NPC filing for ease of reference. With the limited additional controls (e.g. fabric doors, odor neutralizing agents, etc.) there should not be any future findings that the proposed facility modification would change the findings that were previously made about this facility. Therefore, GSE does not make any recommendations to the Section 61 Findings that would be considered substantial and/or would warrant Chapter 61 Findings to be submitted under a Supplemental EIR.

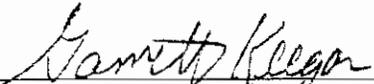
PLEASE REFER TO THE ATTACHED NARRATIVE FOR FURTHER DETAILS AND SUPPORTING ATTACHMENTS

ATTACHMENTS & SIGNATURES

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Signatures:

<p>8/16/07 </p>	<p></p>
<p>Date Signature of Responsible Officer or Proponent</p>	<p>Date Signature of person preparing NPC (if different from above)</p>

Richard C. O'Riley

Garrett Keegan

<p>Name (print or type) ABC&D Recycling, Inc.</p>	<p>Name (print or type) Green Seal Environmental</p>
<p>Firm/Agency 198 East St.</p>	<p>Firm/Agency 28 Rt. 6A</p>
<p>Street Ware, MA 01082</p>	<p>Street Sandwich, MA 02563</p>
<p>Municipality/State/Zip (413)967-3110</p>	<p>Municipality/State/Zip (508)888-6034</p>
<p>Phone</p>	<p>Phone</p>